

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UBS REAL ESTATE SECURITIES,
INC.,

Plaintiff,

-against-

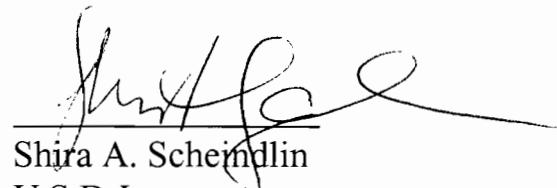
COUNTRY TRUST MORTGAGE
BANKERS CORP.,

Defendant.

-----X
SHIRA A. SCHEINDLIN, U.S.D.J.:

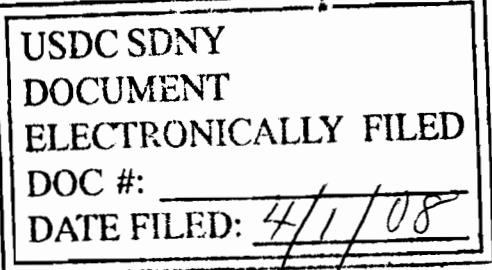
Defendant County Trust Mortgage Bankers Corp.'s counterclaim against plaintiff UBS Real Estate Securities, Inc. is hereby dismissed from the above-captioned action without prejudice for failure to prosecute. Plaintiff's motion for sanctions against defendant is denied.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
April 1, 2008



- Appearances -

For Plaintiff:

Joel M. Miller, Esq.
Charles R. Jacob, III, Esq.
Jeremy M. Sher, Esq.
Miller & Wrubel, P.C.
250 Park Avenue
New York, NY 10177
(212) 336-3500
Fax: (212) 336-3555

For Defendant:

Jay B. Itkowitz, Esq.
Itkowitz & Harwood
305 Broadway, 7th Floor
New York, NY 10007
(212) 822-1400
Fax: (212) 822-1402